

LFC Requester:**Kelly Klundt**

**AGENCY BILL ANALYSIS
2016 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original X **Amendment**

Correction **Substitute**

Date January 19, 2016

Bill No: SB 86

Sponsor: Linda M. Lopez

Agency Code: 305

Short Kinship Caregiver Payment

Person Writing Paul Splett

Title: Project

Phone: 505-222-9035 **Email** psplett@nmag.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE**BILL SUMMARY**

This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Letter. This is a staff analysis in response to an agency's, committee's, or legislator's request.

Synopsis:

Senate Bill 86 is an act creating rules to establish a statewide, three-year demonstration project to provide kinship caregivers with maintenance payments for the care and support of children placed in their care, and subject to availability of appropriated funds. Section 1 lays out eleven (11) rules for establishing eligibility for caregivers to participate in the project, and three (3) rules that provide for a waiver of the eligibility requirements. Section 1 also calls for recertification of eligibility on at least an annual basis, grounds for termination of a caregiver's participation, a fair hearing should a caregiver's maintenance payment be denied or terminated (unless that denial or termination is due to unavailability of appropriated funds), and rules to establish penalties for any person that makes a false statement in applying to participate or be recertified in the project. Section 1 contains a final subsection that sets out twelve (12) factors that must be included in mandatory reports due by November 1 of 2017, 2018, and 2019 to the governor, the legislative finance committee and the legislative health and human services committee regarding this project. Lastly, Section 2 designates three million dollars (\$3,000,000.00) to be appropriated from the general fund to the children, youth and families department for expenditure in fiscal years 2017 through 2020 to fund maintenance payments made through this project, with any unexpended or unencumbered balance remaining at the end of fiscal year 2020 to revert to the general fund.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

None.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

None.

TECHNICAL ISSUES

None.

OTHER SUBSTANTIVE ISSUES

None.

ALTERNATIVES

None.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A